



# Children and Families in the Courts 2007

## Report to Governor Butch Otter and the Second Regular Session of the 59th Idaho Legislature

### Executive Summary

Thanks to the extraordinary support of the legislature as well as the leadership, dedication and innovation of Magistrate Judges, family court services, and court assistance offices coordinated efforts have strengthened the court's capacity to effectively respond to the increasing challenges presented by court cases involving children and families. The outstanding collaboration of all three branches of government have made Idaho courts leaders in the nation for innovation. In 2007, over 33,000 Idahoans and over 14,500 children benefited from Idaho courts' innovation and improvement efforts. Highlights include:

- Three Domestic Violence Courts assisted 1,365 victims and held more than 700 offenders accountable. Domestic Violence Courts hold offenders accountable by monitoring offender compliance to ensure the court has up-to-date information regarding offender compliance with probation and court ordered treatment.
- Domestic assault and battery evaluations have been strengthened and court practices improved to keep victims and children safe while holding offenders accountable.
- In 2007, there was an 11% increase in the number of parents served by Family Court Services. Family Courts also saw a 51% increase in the number of parents that mediated both new and modified parenting schedules.
- In 2007, over 7,300 parents attended parent education class, a 16% increase over last year. Over 517 children benefited from seeing parents in a safe environment through supervised access services. There was a 23% increase in the number of parents who received early screenings, which help families that are in need of domestic violence and substance abuse interventions. Early screening of cases is important because studies reveal a significant overlap between domestic violence and child abuse, with most finding that *both* forms of abuse occur in 30-60% of violent families. (*Journal of Family Psychology*, 1998).
- The Ada County Family Violence Court Project, a highly collaborative project with the Department of Health and Welfare, was awarded an Outstanding Achievement Award in 2007 from the Federal Children's Bureau.
- Concise standards and best practice guidelines were developed and training conducted in juvenile, child protection and court connected services that support families.
- Court Assistance Office and Idaho Volunteer Lawyer workshops provide those who could not afford legal representation effective access to the courts. This is especially beneficial to rural Idahoans who often do not have access to resources.
- Likewise, the Court Assistance Offices and the Idaho State Bar teamed up to offer "unbundled" legal services at reduced rates for low income citizens, again improving access in previously underserved areas of the state.
- The Idaho Interactive Court Forms Project has become a national model for the successful use of technology to provide court assistance services. Interactive Court Forms were visited over 50,000 times since the forms were made available on May 1, 2006.

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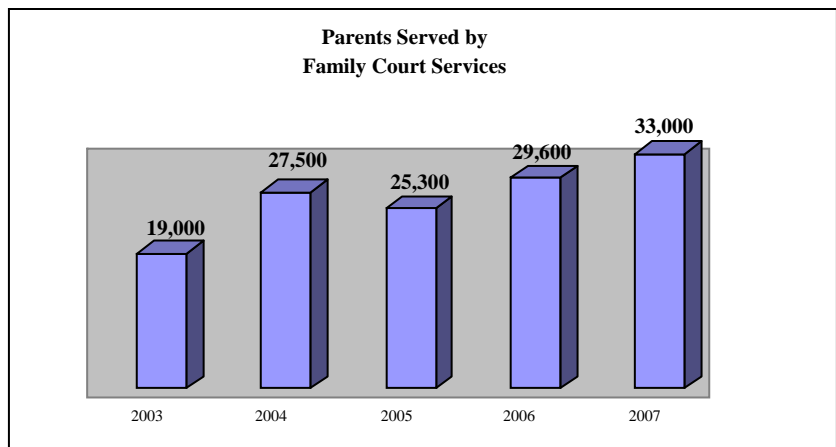
## Idaho Courts Serving Children and Families

Family Courts	Family Violence Courts	Court Assistance Offices
<ul style="list-style-type: none"><li>• Juvenile</li><li>• Child Protection</li><li>• Guardianship</li><li>• Divorce, Post-Divorce Paternity, Child Custody and Child Support Cases</li></ul>	Integrate civil and criminal domestic violence cases involving same family	Helping families with Numerous challenges (landlord / tenant, paternity tests, divorce, child support, etc.)

Magistrate judges heard an increasing number of court cases which impact children. In 2007, there was an 11.4% increase in the number of divorce and post divorce filings and an 8.7% increase in domestic violence filings.

### Family Court Services Reach over 46,000 Children and Families

In 2007, Family Court Services assisted over 12,000 families with court-connected services such as classes for children experiencing divorce, parent education, mediation, guardian ad litem, family assessments and supervised access and exchange services, impacting more than 14,560 children statewide. Additionally, Family Court Services provided resource information and referrals to an estimated 19,600 Idahoans in 2007.



### Integrated Domestic Violence Courts Served Over 1,360 Victims And Hold Offenders Accountable

In 2006, the 4<sup>th</sup>, 6<sup>th</sup> and 7<sup>th</sup> Judicial Districts established integrated domestic violence courts. A key component of the integrated court is to provide one family with one especially trained judge. All too often, families enter the court system with many legal issues including custody cases and divorce, family violence, substance abuse and child protection concerns. In addition to the many challenges courts face when they address multi-faceted and evolving family issues, courts must be especially concerned about the high correlation between domestic violence and child abuse. It takes considerable case management and coordination to ensure that decisions are not made in one case that conflict with existing orders or have the potential to harm family members involved in other pending court cases.

*"An alarming fact is that domestic violence has been found to be the single most common precursor to child death in the United States,"*

~~ National Center for Children Exposed to Violence

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*"After monitoring domestic violence cases for 10 years, the Ada County Domestic Violence Court is the answer for getting families back on track in a timely matter. Victims and their children deserve this. It is extremely gratifying to see the success stories and the cycle of domestic violence come to an end."*

~~ Nancy Cladis, Director of Ada County Misdemeanor Probation

In the 4<sup>th</sup> Judicial District, families who participate in the integrated domestic violence court have "one family – one judge" and their criminal domestic violence case is fast tracked. This allows the judge to resolve criminal issues prior to considering evidence in a custody case. The majority of criminal cases in the Ada County domestic violence court are disposed within sixty days after arraignment. Some cases are

resolved in as little as seven days with court oversight continuing as needed throughout the probationary period. The additional judicial oversight has yielded promising results. Of the 197 participants in this court, only four have absconded from probation and only one participant has had probation revoked. Additionally, families with child protection and domestic violence concerns may come before the same judge, which further serves to protect the best interest of the child. An Ada County Deputy Prosecutor states,

*"I am extremely pleased with DVC for many reasons. First, I have always felt that fast-tracking DV cases is extremely important. It enables us to address safety issues and no contact order issues quickly. This is important for all involved. In addition, having cases resolved faster enables intervention to occur when it will be most beneficial and effective for all involved. I could not be more pleased with how quickly these cases are being set and handled. Second, I also believe that having consistent and continual court involvement even after resolution is extremely important. Having the court set review hearings to monitor progress is imperative in DV cases. Offenders will be more apt to abide by probation terms and follow through if the court is monitoring their progress and not only addressing problems, but celebrating successes. Third, we are working very hard to coordinate efforts through FACES [Family Advocacy Center and Education Services]. We are hoping to set up a pilot program to allow us to do ex parte, emergency POs [protection orders] from FACES so victims do not have to travel to the courthouse to file and obtain an emergency PO. Fourth, having a team of folks who are all well-trained and understand the issue of domestic violence is critical."*

It is estimated that 271 children have benefited from the Ada County Family Violence Court.

Domestic violence case managers assist the court with case coordination and provide the courts with necessary information that protects victims and children. These case managers also assist victims to better navigate the justice system and obtain necessary legal, economic and psycho-social resources. Domestic violence case managers also provide the Judge with up-to-date comprehensive information on all domestic violence cases through interviews with victims and file reviews. When appropriate, the case manager assists the court and family by facilitating safe schedule and exchange strategies that provide for low conflict access to the children.

*"From a victim advocate perspective, I believe that the Ada County Domestic Violence Court (DVC) has been great for several reasons. First, victims are well informed early on with what is happening. Second, victims in DVC are receiving resources they need to become educated on domestic violence which I believe allows victims to make huge strides in ending domestic violence. Third, the combined effort of the courts, Prosecutor's office and victim services at the onset shows families that there is help out there for both offenders and victims."*

~~ Becky McKinney, Court Advocate Manager,  
Women and Children Alliance

*The Domestic violence case manager has helped facilitate my work and has greatly improved efficient and fair processing of domestic violence cases.*

~~ Hon. Mark L. Riddoch,  
Presiding Domestic Violence Court Judge,  
Seventh Judicial District

Domestic Violence Case Managers act as a liaison between the justice system and the community to ensure thorough and accurate information is provided to the court for fair and effective administration of justice. In addition, case managers assist the community with a coordinated community response to further protect victims and children who would otherwise be out of the realm of active assistance from court resources. In 2007, Domestic Violence Court Case Managers assisted over 1,360 victims.

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## Statewide Parent Education Programs Receive High Marks

Positive evaluations and feedback around the state reflect the value of education to divorcing parents and their children. An exit survey from parents who attended the classes statewide indicates that 89% of parents plan to make a stronger effort to work with the other parent to reduce parental conflict for the sake of their children's long term best interests. Parents often share their personal experiences of how the classes have improved their relationship with the other parent and their children.

- ★ *"I have been divorced 7 years and I think this was by far the best thing I have done. I am so glad a class like this is given." — Parent in 1st District*
- ★ *"This was a really GOOD class. It gave me great points and will help me do this right for my girls. It is about the children not the parents." — Parent in 4th District*
- ★ *"I think all parents should take this class – I learned a lot!" — Parent in 7th District*
- ★ *"To remember my child only has one childhood. Thank you for the class."*
- ★ *"I learned reassuring the kids that they are not to blame and they are loved unconditionally."*
- ★ *"...To talk nicely about my ex-spouse in front of the children."*
- ★ *"Shielding my children from conflict."*
- ★ *"I was reminded to love your children fully." — Parents in 5th District*

## Children and Families Receive Better Services Through New and Innovative Projects

Idaho's seven judicial districts offer a broad range of specialized services for families that promote long-term stability for children and families and minimize the need for subsequent court action. For example, early case screening identifies problem-solving approaches and provides recommendations that meet specific families' circumstances to help them reach long-term resolutions. In 2006 a promising alternative dispute resolution program was implemented to provide parents with a combination of parent education and communication skills that reduce parental animosity while co-parenting their children. Additionally, mediation continues to demonstrate high success rates with families. The Children and Families in the Courts committee is also developing guidelines and rules for child and family assessments and family law arbitration, which promote respectful, collaborative and timely resolution of cases.

For a full report on these and other innovative services designed to assist children and families in the courts, see the Supreme Court website at: [http://www.isc.idaho.gov/family3\\_cov.htm](http://www.isc.idaho.gov/family3_cov.htm).

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### **Contact**

Patricia Tobias, Administrative Director of the Courts  
Idaho Supreme Court, PO Box 83720, Boise, ID 83720-0101  
Phone: (208) 334-2246 /// Fax: (208) 947-7590 /// E-mail: [ptobias@idcourts.net](mailto:ptobias@idcourts.net)  
Idaho Judiciary's Website: <http://www.isc.idaho.gov>